

# CITY OF ANGELS CITY COUNCIL MINUTES

**Tuesday, February 1, 2011**

Council Members Present: Jack Boeding (Mayor), Jack Lynch (Vice Mayor), Elaine Morris, Craig Turco and Stuart Raggio

Staff Present: Richard Matranga, David Richards, Melisa Ralston, David Hanham, Todd Fordahl and Mary Kelly

## **5:00 P.M. CALL TO ORDER**

### **ADJOURN TO CLOSED SESSION**

- A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
Significant Exposure to litigation pursuant to California Government Code subdivision (b) of Section 54956.9: (One case)
- B. CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO California Code Section 54957.6: Police MOU, City employee representatives: Council Members Turco and Lynch

## **6:00 P.M. RECONVENE TO REGULAR CITY COUNCIL MEETING**

### **ACTION TAKEN IN CLOSED SESSION**

- A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
Significant Exposure to litigation pursuant to California Government Code subdivision (b) of Section 54956.9: (One case)  
Action: No action was taken
- B. CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO California Code Section 54957.6: Police MOU, City employee representatives: Council Members Turco and Lynch  
Action: Council Members Turco and Lynch were appointed MOU negotiators

### **APPROVAL OF AGENDA**

Agenda was approved by consensus

### **STAFF UPDATES**

**Mary Kelly** – City Clerk

- Informed Council that the February 15<sup>th</sup> meeting will be held at Bret Harte High School in the multipurpose room.

**Dave Richards** – City Administrator

- Updated report included in the packet.

**Melisa Ralston** – Finance Officer

- Software conversion moving forward

**Dave Hanham** – Planning Director

- Updated report included in packet

**Todd Fordahl** – Interim Chief of Police

- Updated report included in the packet.

**COUNCIL UPDATES**

**Council Member Raggio**

- Attended LAFCo and Infrastructure/Facilities meeting

**Council Member Lynch**

- Attended Infrastructure/Facilities and LAFCo. Met with POA on the 25<sup>th</sup> and UPA on the 25<sup>th</sup>

**Council Member Turco**

- Attended UPA and was informed that a large bus-sized boulder was putting pressure on the flume. UPA had a firm drill through the boulder to break it up for removal.
- Positive meet and confer with the POA

**PUBLIC COMMENTS**

**George Wendt** – 3532 Rainbow Way

- Spoke in favor of the Visitor's Bureau staying at their current location, and requested the Council move forward quickly with the negotiations.

**Bob Menary** – President of the Angels Camp Business Association

- Updated the Council on upcoming events: Spring sidewalk sale on April 16<sup>th</sup> and June 4<sup>th</sup> – Farmer's Market opens

**Steve Difu** – 576 Sasa

- Requested results be made available to the public when action is taken in closed session, including how the Council voted on closed session items.
- Has done some independent research and reported fast food restaurants he asked report business is down 20%-30% since McDonald's has opened. With the opening of the bypass, gas stations are up for sale. Does the City have any responsibility for this?

**CONSENT AGENDA**

MOTION by Council Member Lynch, seconded by Council Member Raggio and carried 4-1 with Council Member Turco abstaining, ADOPTING THE CONSENT AGENDA WITH CORRECTION (Council Member Turco was absent 1/18/01):

- a. Minutes of Regular meeting –January 18, 2011

**REGULAR MEETING**

1. **CONSULTANT APPROVAL FOR WATER NEEDS ASSESSMENT AUDIT**

MOTION by Council Member Lynch, seconded by Council Member Turco and carried 5-0 APPROVING THE SELECTION OF STETSON ENGINEERS TO PERFORM WATER OPERATIONS AUDIT FOR AN AMOUNT NOT TO EXCEED \$64,161. AND AUTHORIZE THE CITY ADMINISTRATOR TO ENTER INTO A CONTRACT FOR THESE SERVICES.

2. **CALAVERAS COUNCIL OF GOVERNMENTS' JOINT POWERS AGREEMENT: APPROVAL RECONSIDERATION**

- a. MOTION by Council Member Morris, seconded by Council Member Lynch and carried 5-0 APPROVING THE RECONSIDERATION FOR DISCUSSION OF THE AMENDED JOINT POWERS AGREEMENT FOR THE CALAVERAS COUNCIL OF GOVERNMENTS

- b. MOTION by Council Member Lynch, seconded by Council Member Morris and carried 3-1-1 with Council Member Turco voting 'NO' and Council Member Raggio abstaining, ADOPTING RESOLUTION NO. 11-02. A RESOLUTION APPROVING THE AMENDED COUNCIL OF GOVERNMENTS JOINT POWERS AGREEMENT (with correction on page 15, sections G&H – include copies of the Fiscal, Compliance and Triennial Performance Audit reports to the Council of Government's Board.)

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3. **AMENDMENT TO UNIFORM CODE – BUILDING CODE ORDINANCE**

MOTION by Council Member Turco, seconded by Council Member Morris and carried 5-0 INTRODUCING ORDINANCE #449. AN ORDINANCE AMENDING CHAPTER 15.04, SECTION 15.04.020 OF THE MUNICIPAL CODE: WAIVE READING AND SET PUBLIC HEARING FOR MARCH 15, 2011.

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4. **WATER RATE STUDY**

The Council discussed going out to bid to hire a consultant to complete a water rate study. Some members of the Council questioned hiring a professional and asked staff if a study could be prepared in-house. Dave Richards said he would be more comfortable with a professional firm, but if the Council directed an in-house study, he and the Finance Officer would accept the responsibility and get it done. Council Member Raggio stated that the Council is spinning their wheels. He suggested hiring a professional and the City Administrator oversee the study.

MOTION by Council Member Lynch, seconded by Council Member Turco and carried 5-0 DIRECTING STAFF TO DRAFT A PROPOSAL OF FEASIBILITY OF AN IN-HOUSE WATER RATE STUDY AND REPORT BACK TO COUNCIL.

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5. **RECONSIDERATION OF A WATER RATE STRUCTURE CHANGE**

MOTION by Council Member Lynch, seconded by Council Member Turco and carried 3-2 with Council Members Raggio and Morris voting 'NO' APPROVING THE RECONSIDERATION OF A PROPOSAL TO SUSPEND THE CHARGE FOR THE FIRST 1000 CUBIC FEET (10HCF) OF WATER AND TO INCLUDE THIS AMOUNT OF WATER AS PART OF THE BASE RATE.

MOTION made by Council Member Lynch, seconded by Council Member Turco and carried 5-0 DIRECTING STAFF TO ADVERTISE A PUBLIC HEARING FOR PUBLIC INPUT FOR PROPOSAL OF POTENTIAL SUSPENSION OF WATER RATES

Roll call: Morris {Yes}, Boeding {Yes}, Turco {Yes}, Lynch {Yes}, Raggio {Yes}

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6. **ADDITION OF CHAPTER 8.44 TO HEALTH AND SAFETY TITLE OF THE ANGELS CAMP MUNICIPAL CODE**

MOTION by Council Member Lynch, seconded by Council Member Morris and carried 5-0 INTRODUCING ORDINANCE #450. AN ORDINANCE ADDING CHAPTER 8.44 TO TITLE 8 (HEALTH & SAFETY) OF THE MUNICIPAL CODE IMPOSING CONTROLLED DEBRIS BURNING: WAIVE READING AND SET PUBLIC HEARING FOR MARCH 15, 2011.

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7. **ADDITION OF CHAPTER 8.48 TO HEALTH AND SAFETY TITLE OF THE ANGELS CAMP MUNICIPAL CODE**

MOTION by Council Member Turco, seconded by Council Member Lynch and carried 5-0 INTRODUCING ORDINANCE #451. AN ORDINANCE ADDING CHAPTER 8.48 TO TITLE 8 (HEALTH & SAFETY) OF THE MUNICIPAL CODE IMPOSING FIREWORKS USE AND RESTRICTIONS: WAIVE READING AND SET PUBLIC HEARING FOR MARCH 15, 2011.

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8. **VARIOUS BOARD AND COMMISSION APPOINTMENTS**

The Council agreed to the appointments made to City Council Commissions and Boards (see attached.) Other changes made:

- The Council agreed to disband the Traffic Circulation Committee (this was formed in January 2008 as a 3-year ad hoc committee)  
**Direction: Staff to draft letter to Traffic Circulation Members informing them of committee discontinuation.**
  - The Council does not require a representative on the Brand Leadership Team – Council Member Boeding expressed his interest and will attend when available – this is voluntary and no alternate is required.
  - There will be no City Council representative on the LLD Committee – City Administrator or his designate will attend.
  - The Council does not require a representative on the Museum Foundation – Council Member Lynch expressed his interest in attending – this is voluntary and no alternate is required.
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**CALENDAR**

**ADJOURN**

Meeting was adjourned at 8:15 PM.

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Jack Boeding  
Mayor

ATTEST:

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Mary Kelly  
City Clerk